

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID GASTON WILKES,
Plaintiff,

v.

CHIEF MAGNUS, RICHMOND POLICE
DEPARTMENT, et al.,
Defendants.

Case No. 12-cv-00090-JST (PR)

ORDER OF DISMISSAL

Re: Dkt. No. 85

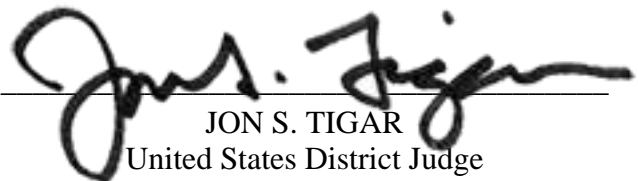
On January 30, 2012, plaintiff, a California prisoner then incarcerated at the San Francisco County Jail and proceeding pro se, filed a civil rights complaint under 42 U.S.C. § 1983.¹ In his complaint, plaintiff alleged that he was subjected to excessive force by officers from the Richmond Police Department. On September 6, 2013, the Court denied defendants' motion to dismiss and directed defendants to file a motion for summary judgment.

Plaintiff and defendants have since stipulated to a dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(a)(2). The parties agree to bear their own litigation costs and attorney's fees.

In accordance with the parties' stipulation, this action is dismissed with prejudice. The Clerk of the Court shall close the file and terminate all pending motions.

IT IS SO ORDERED.

Dated: March 9, 2014


JON S. TIGAR
United States District Judge

¹ Plaintiff has since informed the Court that he has been released from jail and is residing in Oakland, California.